

Application Serial No. 0756,485
Reply to Office Action of November 4, 2003

REMARKS/ARGUMENTS

Reconsideration is respectfully requested in view of the above amendments and the following remarks.

The specification is amended herein to address a typographical error, and several translation errors. In particular, "S35" is corrected to read "S34" at page 5, line 16 of the specification, and "trough" is replaced by "via" at page 2, line 13 of the specification, and at line 11 of the abstract.

Claims 1 and 2 are amended herein for formal reasons. As these changes are not made to overcome art, Applicant respectfully submits that they should not be interpreted in a limiting fashion.

No new matter has been added. Claims 1 and 2 are pending in the application.

In the Office Action, Figure 3 is objected to as disagreeing with the specification. In particular, the specification formerly indicated that "the flow returns to step S35" for reference S39, while Figure 3 indicates that the flow returns to step S34 for reference S39. Applicants respectfully traverse the objection.

The specification is amended at page 5, line 16 to properly indicate that the flow returns to step S34 for reference S39, in agreement with Figure 3. Applicants believe the amendment overcomes the objection. Reconsideration and withdrawal of the objection is respectfully requested.

The specification is objected to as including informalities. In particular, the objection asserts that at page 2, line 13, page 6, line 13 (in claim 1), and page 7, line 11 the word "trough" should be replaced by "through". Applicants respectfully traverse the objection.

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As amended herein, in each instance "trough" is replaced by "via". Applicants believe the amendment overcomes the objection. Reconsideration and withdrawal of the objection is respectfully requested.

Claims 1 and 2 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. In particular, the rejection asserts that the terms "information of network constitution" and "restriction conditions" in claim 2 is unclear. Applicants respectfully traverse the rejection.

Claims 1 and 2 are amended herein for formal reasons. Applicants believe claims 1 and 2 are formal and definite as presently pending. Reconsideration and withdrawal of the objection is respectfully requested.

Claims 1 and 2 are rejected under 35 U.S.C. § 102(b) as being anticipated by Chen et al. (U.S. Patent No. 6,549,882). Applicants respectfully traverse the rejection.

Claim 1 of the present invention recites a method for routing testing, wherein a router undergoes tests using a virtual network. That is, in the present invention, an actual physical network is not required, rather an entire virtual network can be generated as needed.

The rejection asserts that Chen teaches recalling a virtual network for use or editing, and references column 2, lines 37-40. The rejection also asserts that Chen teaches generation of a virtual network, and references column 2, lines 41-48.

Applicants respectfully disagree with this interpretation of Chen.

Column 2, lines 37-40 of Chen disclose that: "In another aspect, the invention provides a computer program product including a computer-usable medium having computer-readable program code embodied thereon for effecting such a method."

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Although the rejection characterizes this as disclosure of recalling a stored virtual network, Applicants respectfully disagree. To paraphrase, 'providing a medium having computer-readable program code thereon for effecting a method' appears instead to refer simply to providing the invention as a computer program, on a disk, CD-ROM, etc.

Column 2, lines 41-48 of Chen disclose that: "In yet another aspect, the invention provides a system for controlling the generation of a model of one or more network devices, with the aid of a network device. The system includes a converter that recognizes program code commands specifying a state change of a network device and converts such program code to produce a model of one or more network devices, and a network device operating system on which the program code runs."

Again, although the rejection characterizes this as disclosure of the creation of a virtual network, Applicants respectfully disagree. In particular, Applicants point out that the referenced passage only discloses the generation of network devices "with the aid of a network device". In other words, at best only some network devices are simulated, while actual network devices are still required. Thus, in Chen at least some of the network devices are in fact real.

Applicants respectfully submit that an arrangement that necessarily includes actual network devices, as is disclosed in Chen, cannot be considered to be a virtual network similar to that of the present invention.

Applicants find no disclosure or suggestion in Chen, either in the passages referenced by the rejection or elsewhere, of recalling, recalling and editing, or generating a virtual network as recited in claim 1 of the present invention.

In addition, the rejection asserts that Chen teaches sending a packet from a testing router to a router under test, and references column 4, lines 8-17 of Chen. However, even if this characterization is correct, which point Applicants do not concede, Applicants respectfully submit that this is not equivalent to what is recited in claim 1 of the present invention.

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Claim 1 of the present invention recites that a packet is sent via the router under test to an address in the virtual network. Applicants respectfully submit that sending a packet from one router to another is not equivalent to sending a packet from a router to the address of a (virtual) destination device. Applicants do not find disclosure of such a feature in Chen.

As the present invention according to claim 1 includes features neither disclosed nor suggested by Chen, Applicants respectfully submit that claim 1 is not anticipated by Chen. Reconsideration and withdrawal of the rejection is respectfully requested.

Claim 2 depends from claim 1, and incorporates the limitations thereof. The remarks made above with regard to claim 1 apply equally to claim 2, and Applicants respectfully submit that separate arguments need not be presented in support of claim 2 at this time. Applicants do not concede the correctness of the rejection.

As all matters raised in the Office Action are now addressed, Applicants believe all pending claims likewise are in condition for immediate allowance. Favorable reconsideration in the form of a Notice of Allowance is respectfully requested.

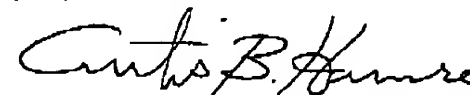
If a telephone conference would be helpful in resolving any issues concerning this communication, please contact Applicants' primary attorney of record, Curtis B. Hamre (Reg. No. 29,165) at (612) 336-4722.



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Respectfully submitted,

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